

MINUTES

MONTANA SENATE 62nd LEGISLATURE - REGULAR SESSION COMMITTEE ON NATURAL RESOURCES

Call to Order: Chair Debby Barrett, on January 17, 2011 at 3:00 PM, in Room 422 Capitol

ROLL CALL

Members Present:

Sen. Debby Barrett, Chairman (R)
Sen. John Brenden (R)
Sen. Bradley Hamlett (D)
Sen. Verdell Jackson (R)
Sen. Christine Kaufmann (D)
Sen. Jim Keane (D)
Sen. Cliff Larsen (D)
Sen. Donald J. Steinbeisser (R)
Sen. Mitch Tropila (D)
Sen. Chas Vincent (R)
Sen. Edward Walker (R)
Sen. David E. Wanzenried (D)

Members Excused: Sen. Greg Hinkle, Vice Chairman (R)
Sen. Jim Peterson (R)

Members Absent: None

Staff Present: Kevin McCue, Committee Secretary
Sonja Nowakowski, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: SJ 7, 1/10/2011; SB 103, 1/10/2011

HEARING ON SJ 7

Opening Statement by Sponsor:

00:01:22 Sen. John Brenden (R), SD 18, opened the hearing on SJ 7, Resolution opposing clean waters restoration act and navigable rivers.

Proponents' Testimony:

00:04:02 Steve Pilcher, representing himself
00:07:34 Errol Rice, lobbyist, Montana Stock Growers' Association (MSGA)
00:09:06 John Youngberg, lobbyist, Association of Galatin Agricultural Irrigators (AGAI) and Montana Farm Bureau Federation (MFBF)
00:10:26 Mike Murphy, lobbyist, Montana Water Resources Association (MWRA)
00:11:18 Dustin Stewart, lobbyist, Montana Building Industry Association (MBIA)
00:11:57 Patrick Heffernan, lobbyist, Montana Wood Products Association
00:12:54 Sheryl Wood, Montana Association of Counties (MACo)

EXHIBIT(nas12a01)

00:13:51 Tim Ravendal, representing the Montana Tenth Amendment Center (MTAC) and the Lewis and Clark County Tea Party (LCCTP)
00:14:43 Carol Lambert, Women Involved in Farm Economics (WIFE)

Opponents' Testimony:

00:15:27 George Golie, lobbyist, Montana Wildlife Federation (MWF)
00:16:13 Stan Frasier, self

Informational Testimony:

None

Questions from Committee Members and Responses:

None

Closing by Sponsor:

00:18:38 Sen. Brendan

HEARING ON SB 103

Opening Statement by Sponsor:

00:20:09 Sen. Verdell Jackson (R), SD 5, opened the hearing on SB 103, Water permit exemption for heating and cooling applications.

EXHIBIT(nas12a02)

Proponents' Testimony:

00:24:41 Thor Jackola, Jackola Engineering and Architecture PC
00:29:40 Marc Spratt, Senior Hydrogeologist, RLK Hydro, Inc. (RLK)

EXHIBIT(nas12a03)

00:33:01 Terry Kramer, Kramer Enterprises
00:34:27 Tim Davis, Water Resources Division Administrator, Department of Natural Resources and Conservation (DNRC)
00:35:19 Dustin Stewart, lobbyist, the Montana Building Industry Association (MBIA)
00:36:21 Matt Elsaesser, lobbyist, Student Advocates for Valuing the Environment Foundation (SAVE)
00:36:44 Ronda Wiggers, representing the Montana Water Well Drillers Association
00:38:25 Abigail St. Lawrence, representing the Montana Association of Realtors

Opponents' Testimony:

00:39:15 Mike Murphy, lobbyist, Montana Water Resources Association (MWRA)
00:40:31 John Youngberg, lobbyist, Association of Galatin Agricultural Irrigators (AGAI) and the Montana Farm Bureau Federation (MFBF)
00:41:08 Mark Aagenes, lobbyist, Montana Trout Unlimited (MTU)

Informational Testimony:

None

Questions from Committee Members and Responses:

00:42:32 Sen. Larsen
00:42:56 Thor Jackola
00:43:37 Marc Spratt, RLK
00:46:27 Sen. Wanzienried
00:46:51 Tim Davis, DNRC
00:50:05 Sen. Tropila
00:50:32 Mike Murphy, MWRA

Closing by Sponsor:

00:52:40 Sen. Jackson
00:54:22 Recess
01:06:53 Executive session resumes

EXECUTIVE ACTION ON SJ 7

01:07:30 **Motion:** Sen. Brenden moved that **SJ 7 DO PASS.**

Discussion:

01:07:42 Sen. Kaufmann
01:08:36 Sen. Vincent

01:08:52 Sen. Brenden
 01:09:51 Sen. Tropila
 01:11:08 Sen. Brenden
 01:11:52 Sen. Hamlett
 01:13:33 Sen. Brenden
 01:14:23 Sen. Jackson
 01:16:15 Sen. Steinbeisser
 01:16:40 Sen. Tropila
 01:17:22 Sen. Hamlett

01:19:40 **Vote:** Motion carried 10-4 by roll call vote with Sen. Kaufmann, Sen. Larsen, Sen. Tropila and Sen. Wanzenried voting no. Sen. Hinkle and Sen. Peterson voted by proxy.

EXECUTIVE ACTION ON SB 38

01:19:44 **Motion/Vote:** Sen. Keane moved that **SB 38 DO PASS**. Motion carried unanimously by voice vote. Sen. Hinkle and Sen. Peterson voted by proxy.

EXECUTIVE ACTION ON SB 47

01:21:25 **Motion:** Sen. Vincent moved that **SB 47 DO PASS**.

01:22:13 **Motion:** Sen. Vincent moved that **SB 47 BE AMENDED**.
[EXHIBIT\(nas12a04\)](#)

Discussion:

01:23:16 Sen. Keane
 01:23:34 Sonja Nowakowski
 01:24:27 Sen. Keane
 01:26:23 Sen. Tropila
 01:27:03 Sen. Brenden
 01:28:16 Sen. Wanzenried
 01:28:29 Sen. Vincent
 01:31:07 Sen. Hamlett

01:33:14 **Vote:** Motion carried 8-6 by roll call vote with Sen. Hamlett, Sen. Kaufmann, Sen. Keane, Sen. Larsen, Sen. Tropila and Sen. Wanzenried voting no. Sen. Hinkle and Sen. Peterson voted by proxy.

01:33:53 **Motion/Vote:** Sen. Keane moved that **SB 47 BE AMENDED**. Motion failed 5-9 by roll call vote with Sen. Kaufmann, Sen. Keane, Sen. Larsen, Sen. Tropila and Sen. Wanzenried voting aye. Sen. Hinkle and Sen. Peterson voted by proxy.

[EXHIBIT\(nas12a05\)](#)

01:35:11 Sen. Vincent

01:39:27 **Motion:** Sen. Keane moved that **SB 47 BE AMENDED**.
[EXHIBIT\(nas12a06\)](#)

Discussion:

01:41:02 Sen. Brenden
 01:41:56 Sen. Wanzenried
 01:42:21 Sonja Nowakowski
 01:42:53 Sen. Vincent
 01:43:41 Sen. Larsen
 01:44:12 Sen. Barrett
 01:44:28 Sen. Walker
 01:44:53 Sen. Vincent

01:48:39 **Vote:** Motion carried 8-6 by roll call vote with Sen. Brenden, Sen. Hamlett, Sen. Kaufmann, Sen. Larsen, Sen. Walker and Sen. Wanzenried voting no. Sen. Hinkle and Sen. Peterson voted by proxy.

01:49:20 **Motion/Vote:** Sen. Brenden moved that **SB 47 DO PASS AS AMENDED**. Motion carried 9-5 by roll call vote with Sen. Kaufmann, Sen. Keane, Sen. Larsen, Sen. Tropila and Sen. Wanzenried voting no. Sen. Hinkle and Sen. Peterson voted by proxy.

EXECUTIVE ACTION ON SB 100

01:50:43 **Motion:** Sen. Keane moved that **SB 100 DO PASS**.

Discussion:

01:51:00 Sen. Brenden
 01:51:34 Sen. Tropila
 01:53:17 Sen. Wanzenried
 01:53:32 Sonja Nowakowski
 01:57:05 Sen. Wanzenried

01:57:48 **Vote:** Motion carried 12-2 by roll call vote with Sen. Tropila and Sen. Wanzenried voting no. Sen. Hinkle and Sen. Peterson voted by proxy.

Additional Exhibits:

EXHIBIT(nas12a07)

Relating to SJ 7 heard in committee on January 17, 2011.

ADJOURNMENT

Adjournment:
02:00:04

Kevin McCue, Secretary

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Additional Documents:

EXHIBIT([nas12aad.pdf](#))